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In re Application of

Dressendorfer, et al.

Application No. 09/823,204 : ON PETITION

Filed: April 2, 2001

Attorney Docket No. 135/128

This is a decision on the renewed petition filed on June 2, 2008, pursuant to $37\ \text{CFR}\ 1.137\ \text{(b)}$, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to timely respond to the final Office action mailed on December 26, 2002. This Office action set a shortened statutory period for reply of three (3) months. No reply having been received, the above-identified application became abandoned on , February 27, 2003. The Office mailed a Notice of Abandonment on July 15, 2003. Applicants filed a petition to revive under 37 CFR 1.137(b) on August 8, 2006. However, the petition was dismissed in a decision mailed on March 5, 2008. The decision noted that the petition lacked a signature. In addition, the decision requested an explanation from petitioner as to why the petition was not promptly filed.

With the instant petition, petitioner has met the requirements for a grantable petition under 37 CFR 1.137(b). The petition was signed. In addition, petitioner provided a satisfactory explanation with regards to the delay in filing the petition. The petition fee and required reply (an RCE) were previously submitted with the petition filed on August 8, 2006.

The file is being forwarded to Group Art Unit 3637 for consideration of the RCE filed August 8, 2006.

Telephone inquiries concerning this decision should be directed to the undersigned at (571)272-3207.

My

Cliff Congo Petitions Attorney Office of Petitions